THE HON'BLE SRI JUSTICE E. DHARMA RAO

WRIT PETITION No.17743 OF 2005

Dated: 10.08.2005

Between:

1. V. Vijaya Lakshmi, W/o V. Kameswara Rao

and four others. ..Petitioners

And

1. The Kothapeta Grampanchayat.

Kotabommali Mandal, Srikakular District,

Rep., by its Panchayat Secretary/

Executive Officer and two others. ..Respondents.

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ORDER:

The present writ petition is filed seeking a direction, in the nature of writ of Mandamus declaring the action of the 1st respondent for construction of a building for the office of the Grampanchayat, in an extent of 9 ½ cents in Sy.No.111/19-B2 of Kothapeta Village, Kotabommali Mandal, Srikakulam District and the proceedings Rc.No.454/2004-E5, dated 01.08.2005 of the 3rd respondent as illegal and arbitrary.

It is the case of the writ petitioners that on the representation made by the villagers to them for construction of a Bus stand in Survey Nos.108/B, 111/18 and 19 of Kothapeta Grampanchayat, the petitioners requested the 3rd respondent to allot the site situated in the said survey numbers. But the 3rd respondent, without considering their request, by proceedings dated 1.8.2005, directed the M.R.O., to allot the site of an extent of Ac.0.09 ½ cents in Sy.No.111/19-B2, for construction of a Grampanchayat building. Hence, the present writ petition.

Heard the learned Counsel and perused the material available on record.

On a perusal of the record, it is apparent that the 3rd respondent issued the proceedings impugned for construction of a Grampanchayat building in an extent of Ac.0.09 ½ cents in Survey No.111/19-B2. The petitioners requested the 3rd respondent to allot any site situated in Survey Nos.108/B, 111/18, and 19 of Kothapeta Grampanchayat, for the purpose of a bus stand. Therefore, the approach of the petitioners for not allotting the site situated in a specific survey number does not hold good. If they have any public interest, they can approach the authorities concerned, to allot the site situated in other two survey numbers, specified by them, for the purpose of bus stand. Apart from that, the administrative authorities viz., District Collector, Joint Collector and Mandal Revenue Officer proposed to construct the Grampanchayat Building, in the interest of public at large. In that view of the matter, the petitioners are not entitled to question the action of the respondent No.3

and the proceedings impugned does not call for any interference by this Court.

Accordingly, the writ petition is dismissed. No order as to costs.

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10th August, 2005

Nn/Bud